

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TRACI SHAW,	:	
	:	
Plaintiff,	:	CASE NO.: 2:23-cv-942
	:	
vs.	:	JUDGE GRAHAM
	:	
RICHARD WOZNIAK, <i>et al.</i> ,	:	MAGISTRATE JUDGE DEAVERS
	:	
Defendants.	:	

**JOINT MOTION TO VACATE THE FINAL PRETRIAL AND TRIAL DATE PENDING
RULING ON DEFENDANTS' MOTIN FOR SUMMARY JUDGMENT**

Plaintiff, by and through her counsel David A. Goldstein Co., L.P.A., and Defendants, by and through their counsel Isaac Wiles & Burkholder, LLC, hereby submit a Motion to Vacate the Final Pretrial scheduled for November 8, 2024, and the Trial currently scheduled for December 9, 2024, based upon the fact that pending before this Court is Defendants' Motion for Summary Judgment. Depending on the ruling of the Motion, either Plaintiff's claims may be extinguished, or in the alternative, Defendants may be entitled to take an interlocutory appeal. A Memorandum in Support is attached hereto and incorporated herein.

Respectfully submitted,

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MEMORANDUM IN SUPPORT

This matter is scheduled for a Final Pretrial on November 8, 2024, and a Trial on December 9, 2024. The Motion for Summary Judgment was only ripe for decision as of September 27, 2024. The Parties wish to vacate the Final Pretrial and Trial date pending the ruling on the Motion for Summary Judgment. The basis is that depending upon the ruling, either some or all of Plaintiffs' claims will be extinguished, and/or in the alternative, Defendants may be entitled to an interlocutory appeal. Vacating the above dates will avoid unnecessary time and expenses by the Parties to file pre-trial motions, secure witness attendance at the trial, some who will be from out of state, and prepare for trial. For the foregoing reasons, the Parties respectfully request this Court to vacate the Final Pretrial and Trial date and schedule the matter for a status conference once the Motion for Summary Judgment has been ruled upon.

Respectfully submitted,

/s/ David A. Goldstein

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CERTIFICATE OF SERVICE

This certifies that the foregoing was filed electronically. Notice of this filing will be sent to all counsel by operation of the Court's electronic filing system, as certified by the Court's Certificate of Service generated upon filing.

/s/ David A. Goldstein
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